

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

JOHN NOAKES,

Plaintiff,

Civil Action No.
5:18-CV-43 (TJM/ML)

v.

SYRACUSE UNIVERSITY,

Defendant.

ORDER OF DISMISSAL BY REASON OF SETTLEMENT

The Court has recently been informed by the parties that this case is settled. Accordingly, pursuant to N.D.N.Y. L.R. 68.2(a), it is hereby

ORDERED as follows:

(1) The above-captioned case is hereby dismissed and discontinued in its entirety, without costs, and without prejudice to the right of any party to reopen this action within one hundred and ninety (190) days of the date of this Order if the settlement is not consummated.

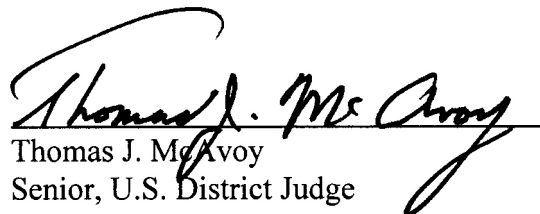
(2) Any application to reopen this case must be filed within one hundred and ninety (190) days of the date of this Order. An application to reopen filed after the expiration of that one hundred and ninety (190) day period, unless it is extended by the Court prior to its expiration, may be summarily denied solely on the basis of untimeliness.

(3) If the parties wish for the Court to retain ancillary jurisdiction for the purpose enforcing any settlement agreement, they must submit a request that the Court retain jurisdiction over enforcement of the agreement or submit the agreement to the Court for incorporation of its terms into an Order retaining jurisdiction within the above-referenced one hundred and ninety (190) day period for reopening the matter.

(4) The dismissal of the above-captioned action shall become with prejudice on the one hundred and ninety-first (191st) day following the date of this Order, unless any party moves to reopen this case within one hundred and ninety (190) days of the date of this Order upon a showing that the settlement was not consummated, or the Court extends the one hundred and ninety (190) day period prior to its expiration.

(5) The Clerk of the Court is respectfully directed to close this case and forward a copy of this Order to the parties pursuant to the Court's local rules.

Dated: February 26, 2020
Binghamton, NY


Thomas J. McAvoy
Senior, U.S. District Judge